

DEC 29 2004

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I hereby certify that this paper is being facsimile transmitted to the Patent Office at 703-~~272-930~~⁹³⁰ on the date below:12-29-2004
Date
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
William O'Malley, et al.

Assignee: Polycom, Inc.

Serial No.: 10/613,431

Filing Date: July 3, 2003

For: **Audio Conferencing Method Using
Scalable Architecture (as amended
earlier)**

Group Art Unit: 2642

Examiner: William J. Deane Jr.

Atty. Dkt. No.: 199-0236US-C

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria VA, 22313-1450

Pursuant to Rule 3.73(b) and Rule 1.321, I, Terril G. Lewis, represent that I am an authorized attorney of record for the above-referenced application as evidenced by a Power of Attorney submitted herewith, and therefore authorized to act on behalf of the Assignee. The Assignee of record for the above-referenced application is Polycom, Inc., as evidenced by the following assignments:

- ☒ Previously recorded (from inventors to Octave Communications, Inc.)
Date: 08/13/01
Reel: 012069
Frame: 0861

☒ Previously recorded (from Octave Communications, Inc. to Voyant Technologies, Inc.)

Date: 03/22/04

Reel: 014448

Frame: 0015

☒ Previously recorded (from Voyant Technology, Inc. to Polycom)

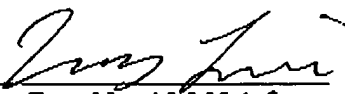
Date: 03/12/04

Reel: 014420

Frame: 0633

The Assignee hereby agrees that any part of the statutory term of any patent granted on the above-referenced application that extends beyond the expiration date of U.S. Patent No. 6,625,271 (the '271 patent), as measured in accordance with 35 U.S.C. §§ 154-56, 173 and with respect to any terminal disclaimer filed with respect to the '271 patent (the "expiration date of the '271 patent"), is hereby disclaimed, except as provided below. It is agreed that any patent granted on the above-referenced application shall be enforceable only for and during such period that any such granted patent is commonly owned with the '271 patent. It is further agreed that this terminal disclaimer applies to any patent granted on the above-referenced application and is binding upon any grantee and/or its successors or assigns.

However, the Assignee does not disclaim any part of the statutory term of any patent granted on the above-referenced application that extends to the expiration date of the '271 patent, in the event that, before the expiration date of the '271 patent, the '271 patent: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321; has all claims canceled by reexamination certificate; or is reissued in any manner.


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